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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 0.00

## Complete if Known

Application Number	09/940,315
Filing Date	08/27/2001
First Named Inventor	J. Zachary Gorman
Examiner Name	Cao, Chun
Art Unit	2115
Attorney Docket No.	109897-129947

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None

☒ Deposit Account:

Deposit Account Number: 500393  
Deposit Account Name: SCHWABE WILLIAMSON ET AL.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ ) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: 27  
Independent Claims: 6  
Multiple Dependent: 6

Extra Claims: 27 - 20\*\* = 7  
Fee from below: 9  
Fee Paid: 0

Extra Claims: 6 - 3\*\* = 3  
Fee from below: 44  
Fee Paid: 0

Extra Claims: 6 - 3\*\* = 3  
Fee from below: 44  
Fee Paid: 0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 0.00

## SUBMITTED BY

Name (Print/Type)	Nathan R. Maki	Registration No. (Attorney/Agent)	51,110	Telephone	503-222-9981
Signature		Date	10/26/2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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2115  
*[Handwritten signature]*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

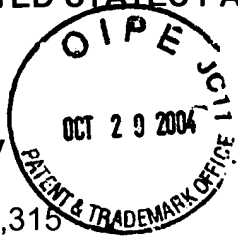
In Application of:

**Gorman, J. Zachary**

Application No.: 09/940,315

Filed: 08/27/2001

For: Data Transmission Across  
Asynchronous Time Domains Using  
Phase-Shifted Data Packet (As  
Amended)



Examiner: Cao, Chun

Art Unit: 2115

Confirmation No.: 5094

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: 10/26/2004

Typed or Printed: Heather L. Adamson

Signature: *[Handwritten signature]* Date: 10/26/2004

Mail Stop AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION**

This communication is submitted in response to the Office Action dated September 15, 2004 (hereinafter "Office Action"). Reconsideration of the above captioned application in view of the amendments and remarks to follow is respectfully requested.

Claims 1-27 are pending. Claims 1, 3, 9, 12, 17, 20, 23, 24 have been amended to provide antecedent basis, remove unnecessarily restrictive elements, and/or to clarify language. None of these amendments were done for the purpose of overcoming cited art, and no new matter has been added as a result of these amendments.

**Summary of the Office Action** is found on page 2 of this paper.

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims that begin on page 4 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.

### **Summary of the Office Action**

In the Office Action the title is found to be non-descriptive; claims 1-8 and 12-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the inventive subject matter; claims 12 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Migita, U.S. Patent No. 6,526,106 (hereinafter "Migita"); and claims 1-11, 13-19, and 21-27 are either allowed or would be allowable if rewritten or amended to overcome 112 rejection and/or incorporate elements of underlying base claim.